

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JAN 25 2005

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHELLE Y. KIM and PETER H. WESTERINK

Application No. 09/200,985

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on November 5, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On February 9, 2004, appellants filed an Appeal Brief (Paper No. 25). On May 3, 2004, the examiner mailed an Examiner's Answer (Paper No. 26) in response to appellants' Brief. On page 4, section (8) of the Answer, the examiner states that "[t]he copy of the appealed claims contained in the Appendix to the brief is correct. However, a review of the Appendix to

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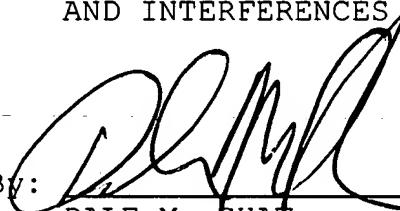
the Brief reveals that claim 1 is not the correct copy according to the latest amendment filed on December 10, 2002 (Paper No. 13).

Accordingly, it is

ORDERED that the application is returned to the examiner for notifying appellants to submit a corrected Appendix to the Brief, or for the examiner to submit a corrected copy of claim 1 on appeal, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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